



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
David J. Yang *et al.*

Serial No.: 10/732,919

Filed: December 10, 2003

For: N2S2 CHELATE-TARGETING LIGAND
CONJUGATES

Group Art Unit: 1616

Examiner: Unknown

Atty. Dkt. No.: UTSC:841US

CERTIFICATE OF MAILING
37 C.F.R. 1.8

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail in an envelope addressed to: MS AMENDMENT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date below:

May 26, 2004

Date

David L. Parker

INFORMATION DISCLOSURE STATEMENT

MS AMENDMENT

Commissioner for Patents

P.O. Box 1450

Alexandria, Virginia 22313-1450

Sir:

In compliance with the duty of disclosure under 37 C.F.R. § 1.56, it is respectfully requested that this Information Disclosure Statement be entered and the documents listed on attached Form PTO-1449 be considered by the Examiner and made of record. Copies of the listed documents required by 37 C.F.R. § 1.98(a)(2) are enclosed for the convenience of the Examiner.

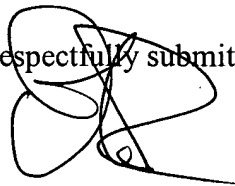
In accordance with 37 C.F.R §§ 1.97(g), (h), this Information Disclosure Statement is not to be construed as a representation that a search has been made, and is not to be construed to be

an admission that the information cited is, or is considered to be, material to patentability as defined in 37 C.F.R. § 1.56(b).

The present Information Disclosure Statement is being filed prior to the receipt of a first Official Action reflecting an examination on the merits, and hence is believed to be timely filed in accordance with 37 C.F.R. § 1.97(b). No fees are believed to be due in connection with the filing of this Information Disclosure Statement, however, should any fees under 37 C.F.R. §§ 1.16 to 1.21 be deemed necessary for any reason relating to these materials, the Commissioner is authorized to deduct the appropriate fees from Fulbright & Jaworski Deposit Account No.: 50-1212/UTSC:841US.

Applicants respectfully request that the listed documents be made of record in the present case.

Respectfully submitted,



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Attorney for Applicants

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Date: May 26, 2004

Form PTO-1449 (modified)

Atty. Docket No.

UTSC:841US

Serial No.

10/732,919

List of Patents and Publications for Applicant's

Applicant

David J. Yang *et al.*

INFORMATION DISCLOSURE STATEMENT

(Use several sheets if necessary)

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U.S. Patent Documents

Exam. Init.	Ref. Des.	Document Number	Date	Name	Class	Sub Class	Filing Date of App.
	A1	2001/0041189	11/15/01	Xu	424	488	4/13/99
	A2	2001/0034363	10/25/01	Li <i>et al.</i>	514	449	3/30/98
	A3	4,418,068	11/29/83	Jones	424	267	12/16/81
	A4	4,507,466	3/26/85	Tomalia <i>et al.</i>	528	332	1/07/83
	A5	4,558,120	12/10/85	Tomalia <i>et al.</i>	528	363	12/27/83
	A6	4,568,737	2/04/86	Tomalia <i>et al.</i>	528	332	8/17/84
	A7	4,587,329	5/06/86	Tomalia <i>et al.</i>	528	363	7/19/85
	A8	4,631,337	12/23/86	Tomalia <i>et al.</i>	528	391	7/11/85
	A9	4,694,064	9/15/87	Tomalia <i>et al.</i>	528	332	2/28/86
	A10	4,713,975	12/22/87	Tomalia <i>et al.</i>	73	864.8	5/30/86
	A11	4,732,863	3/22/88	Tomasi <i>et al.</i>	436	547	12/31/84
	A12	4,737,550	4/12/88	Tomalia	525	419	12/08/86
	A13	4,857,599	8/15/89	Tomalia <i>et al.</i>	525	259	2/08/88
	A14	4,871,779	10/03/89	Killat <i>et al.</i>	521	28	12/23/85
	A15	4,988,496	02/29/91	Srinivasan <i>et al.</i>	424	1.53	05/31/88
	A16	5,087,616	2/11/92	Myers <i>et al.</i>	514	21	8/06/87
	A17	5,108,921	04/28/92	Low <i>et al.</i>	435	240.1	03/28/90
	A18	5,164,294	11/17/92	Skold <i>et al.</i>	435	7.5	7/07/89
	A19	5,268,163	12/07/93	Verbruggen	424	1.1	4/10/91
	A20	5,279,811	1/18/94	Bergstein <i>et al.</i>	424	1.65	1/26/88
	A21	5,412,072	5/02/95	Sakurai <i>et al.</i>	530	322	3/21/90
	A22	5,416,016	05/16/95	Low <i>et al.</i>	435	240.1	03/13/92
	A23	5,517,993	5/21/96	Unger and Wu	128	653.4	6/07/95

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EXAMINER: INITIAL IF REFERENCE CONSIDERED, WHETHER OR NOT CITATION IS IN CONFORMANCE WITH MPEP609; DRAW LINE THROUGH CITATION IF NOT IN CONFORMANCE AND NOT CONSIDERED. INCLUDE COPY OF THIS FORM WITH NEXT COMMUNICATION TO APPLICANT.

INFORMATION DISCLOSURE STATEMENT — PTO-1449 (MODIFIED)

Form PTO-1449 (modified)	Atty. Docket No. UTSC:841US	Serial No. 10/732,919
List of Patents and Publications for Applicant's INFORMATION DISCLOSURE STATEMENT (Use several sheets if necessary)	Applicant David J. Yang <i>et al.</i>	
	Filing Date: December 10, 2003	Group: 1616
U.S. Patent Documents <i>See Page 1</i>	Foreign Patent Documents <i>See Page 1</i>	Other Art <i>See Page 1</i>

U.S. Patent Documents

Exam. Init.	Ref. Des.	Document Number	Date	Name	Class	Sub Class	Filing Date of App.
	A24	5,534,241	7/09/96	Torchilin <i>et al.</i>	424	9.321	7/23/93
	A25	5,605,671	2/25/97	Lyle <i>et al.</i>	424	1.41	4/29/94
	A26	5,635,382	06/03/97	Low <i>et al.</i>	435	172.3	12/05/94
	A27	5,635,603	6/03/97	Hansen <i>et al.</i>	530	391.5	12/05/94
	A28	5,670,132	9/23/97	Griffiths <i>et al.</i>	424	1.11	9/20/94
	A29	5,688,488	11/18/97	Low <i>et al.</i>	424	1.69	05/16/95
	A30	5,730,968	3/24/98	Butterfield <i>et al.</i>	424	78.37	3/31/94
	A31	5,820,847	10/13/98	Low <i>et al.</i>	424	9.1	01/15/97
	A32	5,830,431	11/03/98	Srinivasan <i>et al.</i>	424	1.69	6/07/95
	A33	5,908,777	6/01/99	Lee <i>et al.</i>	435	320.1	3/23/95
	A34	5,951,964	9/14/99	Dean <i>et al.</i>	424	1.69	6/4/93
	A35	5,955,053	9/21/99	Marzilli <i>et al.</i>	424	1.11	5/6/96
	A36	5,977,163	11/2/99	Li <i>et al.</i>	514	449	3/11/97
	A37	5,986,074	11/16/99	Marzilli <i>et al.</i>	534	14	12/18/97
	A38	6,071,533	6/06/00	Papahadjopoulos <i>et al.</i>	424	450	11/17/95
	A39	6,083,741	7/04/00	Hart <i>et al.</i>	435	320.1	11/17/95
	A40	6,113,946	9/05/00	Szoka, Jr. <i>et al.</i>	424	486	6/06/95
	A41	6,197,278	3/6/01	Blankenberg <i>et al.</i>	424	1.69	4/29/98
	A42	6,251,866	6/26/01	Prakash <i>et al.</i>	514	17	8/04/98
	A43	6,262,107	7/17/01	Li <i>et al.</i>	514	449	7/01/99

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Foreign Patent Documents

Exam. Init.	Ref. Des.	Document Number	Date	Country	Class	Sub Class	Translation Yes/No
	B1	WO 00/53233	9/14/00	PCT			English
	B2	WO 00/61788	10/19/00	PCT			English
	B3	WO 01/80906	11/01/01	PCT			English
	B4	WO 01/91807	12/06/01	PCT			English
	B5	WO 91/16076	10/31/91	PCT			English
	B6	WO 95/28966	11/02/95	PCT			English
	B7	WO 97/33552	9/18/97	PCT			English
	B8	WO 99/39748	8/12/99	PCT			English
	B9	WO 99/49901	10/07/99	PCT			English
	B10	WO 99/61512	12/02/99	PCT			English

Other Art (Including Author, Title, Date Pertinent Pages, Etc.)

Exam. Init.	Ref. Des.	Citation
	C1	Abrams <i>et al.</i> , "Technetium-99m-human polyclonal IgG radiolabeled via the hydrazino nicotinamide derivative for imaging focal sites of infection in rats," <i>J. Nucl. Med.</i> , 31:2022-2028, 1990.
	C2	Alauddin and Conti, "Synthesis and preliminary evaluation of 9-(4-{[18F]-Fluoro-3-Hydroxymethylbutyl}guanine ([18F]FHBG): a new potential imaging agent for viral infection and gene therapy," <i>Nucl. Med. Biol.</i> , 25:175-180, 1998.
	C3	Alauddin <i>et al.</i> , "9-[(3-[18F]-fluoro-1-hydroxy-2-propoxy)methyl]guanine ([18F]-FHPG): a potential imaging agent of viral infection and gene therapy using PET," <i>Nucl. Med. Biol.</i> , 23:787-792, 1996.
	C4	Alauddin <i>et al.</i> , "Evaluation of 9-[(3-[18F]-fluoro-1-hydroxy-2-propoxy)methyl]guanine ([18F]-FHPG) in vitro and in vivo as probe for PET imaging of gene incorporation and expression in tumors," <i>Nucl. Med. Biol.</i> , 26:371-376, 1999.

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	C5	Alauddin <i>et al.</i> , "Receptor mediated uptake of a radiolabeled contrast agent sensitive to β -galactosidase activity," <i>Nucl. Med. Biol.</i> , 30:261-265, 2002.
	C6	Alper <i>et al.</i> , "Assessment of renal functional changes following transurethral prostatectomy using tc-99m ethylenedicycysteine," <i>J. Nuclear Med.</i> , 37:289P, Abstract No. 1292, 1996.
	C7	Anderson <i>et al.</i> , "N,N'-ethylene-di-l-cysteine (ec) complexes of ga(III) and In (III): molecular modeling, thermodynamic stability and in vivo studies," <i>Nucl. Med. Biol.</i> , 22:165-173, 1995.
	C8	Anderson <i>et al.</i> , "Radiometal-labeled agents (non-technetium) for diagnostic imaging," <i>Chem. Rev.</i> , 99:2219-2234, 1999.
	C9	Antony, "Folate receptors," <i>Ann. Rev.</i> , 16:501-521, 1996.
	C10	Aoi <i>et al.</i> , "Globular carbohydrate macromolecule 'sugar balls' 3. 'radical-growth polymerization' of sugar-substituted α -amino acid N-carboxyanhydrides (glycoNCAs) with a dendritic initiator," <i>Tetrahedron, Elsevier Science Publishers</i> , 53(45):15415-15427, 1997.
	C11	Appelbaum <i>et al.</i> , "The use of radiolabeled anti-CD33 antibody to augment marrow irradiation prior to marrow transplantation for acute myelogenous leukemia," <i>Transplantation</i> , 54(5):829-833, 1992.
	C12	Baidoo and Lever, "Evaluation of a diaminedithiol-based bifunctional chelate for labeling small molecules with ^{99m}Tc ," <i>Technetium and Rhenium in Chemistry and Nuclear Medicine</i> , 1990.
	C13	Baidoo <i>et al.</i> , "Synthesis of a new diaminedithiol bifunctional chelate for the preparation of neutral technetium complexes," <i>J. Nuclear Med.</i> , 31:806, Abstract No. 414, 1990.
	C14	Bajorin <i>et al.</i> , <i>Proc. Annu. Meet. Am. Soc. Clin. Oncol.</i> , 7:250, A967, 1988.
	C15	Bakker <i>et al.</i> , "Receptor scintigraphy with a radioiodinated somatostatin analogue: radiolabeling, purification, biologic activity and in vivo application in animals," <i>J. Nucl. Med.</i> , 31:1501-1509, 1990.
	C16	Bar-Sever <i>et al.</i> , "Comparison of living related donor and recipient renograms in predicting the early posttransplantation course," <i>J. Nuclear Med.</i> , 37:292P, Abstract No. 1305, 1996.
	C17	Baselga <i>et al.</i> , "Phase I studies of anti-epidermal growth factor receptor chimeric antibody C225 alone and in combination with cisplatin," <i>J. Clinical Oncology</i> , 18(4):904-914, 2000.

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Other Art (Including Author, Title, Date Pertinent Pages, Etc.)

Exam. Init.	Ref. Des.	Citation
	C18	Baselga <i>et al.</i> , "Recombinant humanized anti-HER2 antibody (herceptin) enhances the antitumor activity of paclitaxel and doxorubicin against HER2/new overexpressing human breast cancer xenografts," <i>Cancer Research</i> , 58:2825-2831, 1998.
	C19	Becker <i>et al.</i> , "Analysis of E-cadherin in diffuse-type gastric cancer using a mutation-specific monoclonal antibody," <i>American Journal of Pathology</i> , 155(6):1803-1809.
	C20	Benns <i>et al.</i> , "Tailoring new gene delivery designs for specific targets," <i>Journal of Drug Targeting</i> , 8(1), Database Medline on STN International, Accession No. 2000222278, 2 pages, 2000.
	C21	Bertolini <i>et al.</i> , "Angiogenic growth factors and endostatin in non-Hodgkin's lymphoma," <i>Br. J. Haematol.</i> , 106:5045, 1999.
	C22	Blair <i>et al.</i> , "Linkage of cytotoxin agents to immunoglobulins," <i>Journal of Immunological Methods</i> , 59:129-143, 1983..
	C23	Blakenberg <i>et al.</i> , "Apoptosis: the importance of nuclear medicine," <i>Nucl. Med. Comm.</i> , 21:241-250, 2000.
	C24	Blakenberg <i>et al.</i> , "Imaging of apoptosis (programmed cell death) with ^{99m} Tc annexin V.," <i>J. Nucl. Med.</i> , 40:184-191, 1999.
	C25	Blakenberg <i>et al.</i> , "In vivo detection and imaging of phosphatidylserine expression during programmed cell death," <i>Proc. Natl. Acad. Sci., USA</i> , 95:6349-6354, 1998.
	C26	Block, "Poly(g-benzyl-L-glutamate) and other glutamic acid containing polymers," Gordon and Breach Science Publishers, New York, 11-31, 1983.
	C27	Blondeau <i>et al.</i> , "Dimerization of an intermediate during the sodium in liquid ammonia reduction of L-thiazolidine-4-carboxylic acid," <i>Can J. Chem.</i> , 45:49-52, 1967.
	C28	Bohdiewicz <i>et al.</i> , "Indium-111 satumomab pendetide: the first FDA-approved monoclonal antibody for tumor imaging," <i>J. Nuclear Medicine Technology</i> , 26(3):155-163, 1998.
	C29	Bormans <i>et al.</i> , "Synthesis and biological characteristics of the four stereoisomers of ^{99m} Tc-N, N'-bis-(mercaptoacetyl)2,3-diaminopropanoate," <i>Int. J. Rad. Appl. Instrum. B.</i> , 17(5):499-506, 1990.
	C30	Brechbiel <i>et al.</i> , "Synthesis of 1 (P-isothiocyanatobenzyl) derivatives of DTPA and EDTA: antibody labeling and tumor-imaging studies," <i>Inorg. Chem.</i> , 25:2772-2781, 1986.

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Other Art (Including Author, Title, Date Pertinent Pages, Etc.)

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	C31	Brogi <i>et al.</i> , "Hypoxia-induced paracrine regulation of vascular endothelial growth factor receptor expression," <i>J. Clin. Invest.</i> , 97(2):469-476, 1996.
	C32	Brokx <i>et al.</i> , "Designing peptide-based scaffolds as drug delivery vehicles," <i>Science</i> , 78(1-3):115-123, 2002.
	C33	Budihardjo <i>et al.</i> , "Biochemical pathways of caspase activation during apoptosis," <i>Annu. Rev. Cell Dev. Biol.</i> , 15:269-290, 1999.
	C34	Burgen, "Targets of drug action," <i>Ann. Rev. Pharmacol. Toxicol.</i> , 40:1-16, 2000.
	C35	Burian <i>et al.</i> , <i>Acta Otolaryngol.</i> , 119:289-292, 1999.
	C36	Bush <i>et al.</i> , "Definitive evidence for hypoxic cells influencing cure in cancer therapy," <i>Br J Cancer</i> , (Suppl. III) 37:302-306, 1978.
	C37	Campbell <i>et al.</i> , "Folate-binding protein is a marker for ovarian cancer," <i>Cancer Res</i> , 51:5329-5338, 1991.
	C38	Cao, "Therapeutic potentials of angiostatin in the treatment of cancer," <i>Haematologica</i> , 84:643-650, 1999.
	C39	Chapman <i>et al.</i> , "Therapeutic antibody fragments with prolonged in vivo half-lives," <i>Nature Biotech.</i> , 17:780-783, 1999.
	C40	Chen <i>et al.</i> , "Biological and pharmacokinetic evaluation of tc-99m ma2g2-b: a potential renal agent," <i>J. Nuclear Med.</i> , 35:263P, Abstract No. 1082, 1994.
	C41	Cherif <i>et al.</i> , "Rapid synthesis of [¹⁸ F]Fluoro-1-(2'-Nitro-1'-Imidazolyl)-2-Propanol ([¹⁸ F]Fluoromisonidazole)," <i>Pharm Res.</i> , 11:466-469, 1994.
	C42	Cleynhens <i>et al.</i> , "Synthesis and biological evaluation in mice of a monoamide derivative of tc-99m-l,l-ec," <i>J. Nuclear Med.</i> , 38:186P, Abstract No. 799, 1997.
	C43	Collier <i>et al.</i> , "Immunoscintigraphy performed with In-111-labeled CYT-103 in the management of colorectal cancer: comparison with CT," <i>Radiology</i> , 185:179-186, 1992.
	C44	Coney <i>et al.</i> , "Chimeric murine-human antibodies directed against folate binding receptor are efficient mediators of ovarian carcinoma cell killing," <i>Cancer Res</i> , 54:2448-2455, 1994.
	C45	Corlija <i>et al.</i> , "Contribution of radiolytically induced dissociation of 99mtc-d,l-hmpao in aqueous solutions," <i>J. Nuclear Med.</i> , 31:806, Abstract No. 413, 1990.

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	C46	Craig <i>et al.</i> , "Renal outcomes for children on year after urinary tract infection," <i>J. Nuclear Med.</i> , 37:46P, Abstract No. 175, 1996.
	C47	Culver <i>et al.</i> , "In vivo gene transfer with retroviral vector-producer cells for treatment of experimental brain tumors," <i>Science</i> , 256:1550-1552, 1992.
	C48	Dagli <i>et al.</i> , "Analysis of the complete dynamic scan data for camera-based determination of renal function," <i>J. Nuclear Med.</i> , 37:91P, Abstract No. 354, 1996.
	C49	Davison <i>et al.</i> , "A new class of oxotechnetium(5+) chelate complexes containing a TcON ₂ S ₂ Core," <i>Inorg Chem</i> , 20:1629-1632, 1981.
	C50	de Klerk <i>et al.</i> , "Aspirin versus captopril renography in the diagnosis of renal artery stenosis," <i>J. Nuclear Med.</i> , 37:289P, Abstract No. 1291, 1996.
	C51	Deguchi <i>et al.</i> , "Retention of biologic activity of human epidermal growth factor following conjugation to a blood-brain barrier drug delivery vector via an extended poly(ethylene glycol) linker," <i>Bioconjugate Chem.</i> , 10:32-37, 1999.
	C52	DeNardo <i>et al.</i> , "Pharmacokinetics of chimeric L6 conjugated to indium 111- and yttrium-90-DOTA-peptide in tumor-bearing mice," <i>J. Nuclear Medicine</i> , 36:829-836, 1995.
	C53	DeNardo <i>et al.</i> , "Yttrium-90/indium-111-DOTA-peptide-chimeric L6: Pharmacokinetics, dosimetry and initial results in patients with incurable breast cancer," <i>Anticancer Research</i> , 17(3B):1735-1744, 1997.
	C54	Deutsch <i>et al.</i> , "Synthesis of congeners and prodrugs, water-soluble prodrugs of taxol with potent antitumor activity," <i>J. Med. Chem.</i> , 32:788-792, 1989.
	C55	Deveraux and Reed, "IAP family proteins-suppressors of apoptosis," <i>Genes and Development</i> , 13:239-252, 1999.
	C56	Dewanjee <i>et al.</i> , "Labeling antisense oligodeoxynucleotide (on) with tc-99m and hybridization with c-myc oncogene mrna in p388 leukemic cells," <i>J. Nuclear Med.</i> , 35:263P, Abstract No. 1081, 1994.
	C57	Dezutter <i>et al.</i> , "Preparation and biological evaluation of technetium- ^{99m} -L,L-propylenedicysteine" <i>J. of Labelled Cpd. Radiopharm.</i> , 42:553-565, 1999.
	C58	Dische, "A review of hypoxic-cell radiosensitization," <i>Int J Radiat Oncol Biol Phys</i> , 20:147-152, 1991.

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